

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LINTON NESTA BAKER,

Plaintiff,

vs.

SGT. ARON COOPER, #2230, in their individual capacity; OFFICER JUSTIN BORGOGNONE, #25513, in their individual capacity; LANCASTER COUNTY, and SIANN LYON, Nurse, #25644, in her individual capacity;

Defendants.

8:21CV55

MEMORANDUM AND ORDER

Plaintiff filed his initial Complaint in this matter on February 16, 2021, while he was incarcerated. The court granted him leave to proceed in forma pauperis on March 10, 2021, also while he was incarcerated. Plaintiff filed a change of address on April 14, 2022, indicating that he is no longer incarcerated. (*See* Filing 14; *see also* Filing 15.)

Since Plaintiff is no longer incarcerated, he must now file a new application for leave to proceed in forma pauperis if he wishes to continue pursuing this case in forma pauperis. Plaintiff may, in the alternative, pay the court's \$402.00 filing and administrative fees.¹

Plaintiff is also reminded that he has until April 25, 2022, to file a second amended complaint in accordance with the court's March 25, 2022 Memorandum and Order. (Filing 13.) Out of caution, the court will direct the clerk's office to

¹ Plaintiff only would have to pay \$344.93 as he has already paid \$57.07 towards the filing fee.

send Plaintiff a copy of the March 25, 2022 Memorandum and Order in case Plaintiff did not receive it before he was released from custody.

IT IS THEREFORE ORDERED that:

1. Plaintiff must either file a new request for leave to proceed in forma pauperis or pay the court's \$402.00 filing and administrative fees within 20 days. Failure to take either action will result in dismissal of this matter without further notice to Plaintiff.

2. The clerk of the court is directed to send to Plaintiff the Form AO 240, "Application to Proceed Without Prepayment of Fees and Affidavit," and a copy of the court's March 25, 2022 Memorandum and Order (filing 13).

3. The clerk of the court is directed to set a pro se case management deadline with the following text: **May 12, 2022**: deadline for Plaintiff to file new IFP application or pay filing fee.

Dated this 22nd day of April, 2022.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge